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September 3, 2003

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 NW First Street, 11th Floor
Miami, Florida 33131

RECEIVED
203-262
SEP 03 2003

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY AC

**RE: Letter of Intent / Zoning Application / Summerville Development, Inc. /
Property Located at S.W. 248th Street and S.W. 117th Avenue**

This document shall constitute the letter of intent filed in conjunction with the zoning public hearing application filed by Summerville Development, Inc. (the "Applicant"), for the 4.336 acre property legally described in the application (the "Property"). The Property is currently zoned AU and the Miami-Dade County Comprehensive Development Master Plan designates the Property "Business and Office." The Applicant is requesting a rezoning of the Property to BU-1.

As you may recall, this property is immediately adjacent to a much larger parcel of property that is also owned by the Applicant. Community Zoning Appeals Board #15 recently approved the rezoning of that 55-acre parcel with a Planned Area Development. The PAD approval provides for an integrated residential development, incorporating a variety of housing types and reflecting a number of the urban design principles that the County has been encouraging throughout new development.

The Applicant has been diligently pursuing the appropriate subdivision approvals for the PAD, and contemplates that it will be able to begin development shortly. The Applicant is requesting the instant district boundary change to BU-1 in order to use the subject property as the location of its sales office during the development and marketing of the PAD property. The subject property is presently improved with an existing single family house, which is unoccupied. The Applicant intends to use that existing structure as the sales office during this time. The Applicant anticipates that the use of the property for this purpose will last approximately eighteen (18) months from the date of approval. The use of the existing house for

the temporary sales office will be more in keeping with the surrounding neighborhood than a sales trailer or similar, more obtrusive, structure.

As you may recall, the Comprehensive Plan designation for the Subject Property was changed to "Business and Office" during the October 2001 Amendment Cycle. The Applicant's predecessor-in-title requested that amendment recognizing that modern notions of good design and urban planning seek to bring non-residential uses back into the neighborhood fabric. The Applicant remains committed to integrating this non-residential component into the largely residential PAD once the interim use of the subject property is finished.

Accordingly, the Applicant intends to proffer a declaration of restrictive covenants limiting the use of the property to a temporary sales office, and providing that no additional use may be made of the property unless and until the County issues an Administrative Site Plan Approval for any proposed non-residential development.

Because this application is consistent with the CDMP and the Miami-Dade County Code, and compatible with the surrounding community, we respectfully request your favorable review and recommendation.

Very truly yours,

AKERMAN SENTERFITT



Alan S. Krischer

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April 15, 2004

VIA FAX AND HAND DELIVERY

Ms. Donna Jacoby
Miami-Dade County Dept. of Planning & Zoning
111 NW 1 Street, 11th Floor
Miami, FL 33130

Re: Summerville Development – PH No. 03-262

Dear Ms. Jacoby:

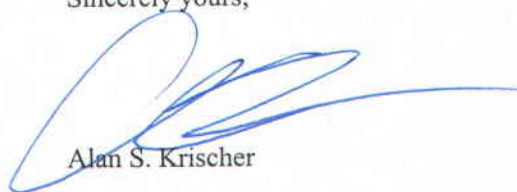
As you are aware, the Applicant has been preparing a new site plan of development intended to be proffered to the Community Zoning Appeals Board and interested members of the public prior to approval of the requested district boundary change. A revised site plan was submitted to the Department in early March, showing a neighborhood-scale mixed use development. However, in the course of reviewing the site plan, the Department determined that there was a discrepancy between the scope of the property depicted on the site plan and the scope of property contemplated for commercial development. We have determined that the cause of this discrepancy is a difference between the property that was redesignated to Business and Office and the property which is contemplated to be the mixed-use component of the Summerville development.

Because of that difference in property, the site plan as submitted will need to be modified to reflect the appropriate zoning categories that are approvable under the CDMP. Accordingly, we are preparing newly-revised site plans that will reflect a mixed-use development consonant with the CDMP requirements. We anticipate having such plans completed prior to the currently-scheduled hearing of April 21, 2004. However, such plan will require readvertisement before it can be considered by the CZAB.

Accordingly, please be advised that the Applicant intends to request a deferral until the July 14, 2004 hearing of CZAB #15.

Please feel free to call me at (305) 755-5858 if you need any additional information. As always, thank you for your prompt attention to this matter.

Sincerely yours,



Alan S. Krischer

cc: Ms. Judith Rawls
Ms. Patti Good
Mr. Ray Castellanos

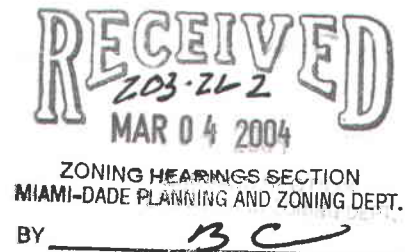
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March 3, 2004

VIA FAX AND HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 NW First Street, 11th Floor
Miami, Florida 33131



RE: Revised Letter of Intent / Zoning Application / Summerville Development, Inc. / Property Located at S.W. 248th Street and S.W. 117th Avenue

This document shall constitute the first revised letter of intent filed in conjunction with the zoning public hearing application filed by Summerville Development, Inc. (the "Applicant"), for the 4.336 acre property legally described in the application (the "Property").

As you may recall, the applicant had initially requested a rezoning of the Property in order to permit the use of an existing structure as a temporary sales office for the marketing and sales of the immediately adjacent Planned Area Development. The requested BU-1 zoning would have permitted that office use, and would have allowed the temporary sales office to take place within a structure more architecturally harmonious with the surrounding residences than a conventional sales trailer.

In the course of the initial public hearing on the matter, various members of the public and the Community Zoning Appeals Board expressed strong interest in the ultimate plan of development for the property. As you may also recall, the CZAB and the Board of County Commissioners both voted to change the designation of this property on the County's Comprehensive Development Master Plan to Business and Office expressly for the purpose of allowing neighborhood-serving retail uses to be integrated into the residential fabric of the neighborhood. Many of those at the public hearing expressed their desire to see the ultimate plan of development prior to the change in zoning.

Accordingly, the Applicant agreed to a deferral of the matter to the CZAB's April 21, 2004 agenda, and to prepare a site plan for the ultimate development of the property. That site plan calls for the development of a mixed-use commercial and residential center, with direct

access to (and interaction with) the residential PAD to the north. The proposal has been designed to reflect modern principles of good urban design: directly addressing the streetscape, providing pedestrian-friendly promenades, and relocating the parking fields to the interior (rather than the periphery) of the property. The applicant will proffer a covenant binding the development of the property to that site plan, in accordance with your standard procedures.

20'
In order to accommodate these goals, the Applicant is requesting two variances. The first is a setback variance to permit a setback of ten feet, where twenty-five feet are required, along both side street property lines (S.W. 247th and S.W. 248th Streets). These setback variances are requested in order to allow the proposed structures to more directly address the streetscape, and to allow for more pedestrian-friendly access along and to the site. The second variance is a non-use variance from the requirements of Section 33-245, which ordinarily requires the construction of a wall between BU-1 and residentially-zoned properties. Of course, the construction of a physical barrier between residential and non-residential uses is anathema to efforts to reintegrate more livable residential neighborhoods, and the requested variance is sought so that there will be greater interaction between the planned community to the north and this center.

Because this application is consistent with the CDMP and the Miami-Dade County Code, and compatible with the surrounding community, we respectfully request your favorable review and recommendation.

Very truly yours,

AKERMAN SENTERFITT



Alan S. Krischer

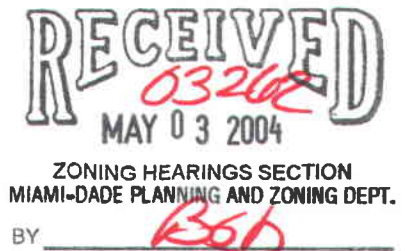
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May 3, 2004

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 NW First Street, 11th Floor
Miami, Florida 33131



RE: Revised Letter of Intent / Zoning Application / Summerville Development, Inc. / Property Located at S.W. 248th Street and S.W. 117th Avenue / PH#03-262

This document shall constitute the first revised letter of intent filed in conjunction with the zoning public hearing application filed by Summerville Development, Inc. (the "Applicant") under application #03-262.

As you may recall, the applicant had initially requested a rezoning of the Property in order to permit the use of an existing structure as a temporary sales office for the marketing and sales of the immediately adjacent Planned Area Development. The requested BU-1 zoning would have permitted that office use, and would have allowed the temporary sales office to take place within a structure more architecturally harmonious with the surrounding residences than a conventional sales trailer. In the course of the initial public hearing on the matter, various members of the public and the Community Zoning Appeals Board expressed strong interest in the ultimate plan of development for the property, and so the applicant agreed to a deferral of the matter to prepare a site plan for the ultimate development of the property.

The site plan calls for the development of a mixed-use commercial and residential center, with direct access to (and interaction with) the residential PAD to the north, and was submitted to your professional staff in early March. However, in the course of preparing that site plan, the Applicant discovered a gap between the fire station site to the east of the mixed use center (which was designated as part of the PAD approval) and the area which had been previously re-designated "Business and Office" on the comprehensive plan.

This gap property consists of approximately a half acre, and was included by the architect as part of the design for the mixed use center. It had not been included in the request for BU-1

rezoning that was originally filed. The discrepancy arose because during the pendency of the PAD application, the County determined that the amount of land originally contemplated for the fire station was larger than actually necessary. When the size of the fire station parcel was reduced, the application for the change to the comprehensive plan was already in process.

Accordingly, we are hereby amending the application to include that additional half-acre of property. As indicated on the site plan, that portion of the property has been allocated exclusively for residential parking, and will only serve the residential units that are part of the mixed use development. We are requesting a rezoning to RU-3M on that half acre – however, the RU-3M zoning is requested only to allow the parking area. No residential units are proposed to ever be built on that residentially zoned land, and the Applicant will proffer a covenant prohibiting the construction of actual residential units on that property.

As noted in our last revised letter of intent, proposal has been designed to reflect modern principles of good urban design: directly addressing the streetscape, providing pedestrian-friendly promenades, and relocating the parking fields to the interior (rather than the periphery) of the property. The applicant will proffer a covenant binding the development of the property to that site plan, in accordance with your standard procedures. The Applicant continues to request the variances noted in our previous application.

Because this application is consistent with the CDMP and the Miami-Dade County Code, and compatible with the surrounding community, we respectfully request your favorable review and recommendation.

Very truly yours,

AKERMAN SENTERFITT



Alan S. Krischer

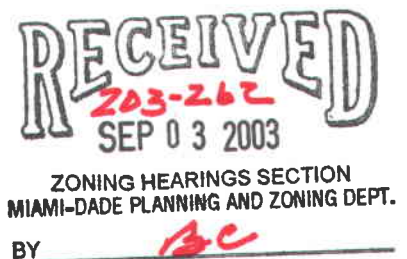
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September 3, 2003

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